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In praise of sprawl [1]

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Since the formation of the Coalition Government in 2010, the British populace has been given the unusual, if often dubious, privilege of hearing significant public discourse on the subject of land use planning policy. Even more unusually, the planning system has been subject to changes that may well prove to be more than semantic; the Localism Act 2011 and the revised National Planning Policy Framework (NPPF) of April 2012 have both resulted in material changes, albeit with the caveat that the full effects, especially of the former, will probably take some time to become apparent.

In the meantime, the Government?s interest in planning policy has clearly not waned. The Treasury and the Department for Communities and Local Government (DCLG) have both issued a stream of announcements and comments on the subject, with a particular emphasis on the effects of planning policy on economic performance. In addition, it is worth noting that the Prime Minister commented on the subject in his speech at the 2012 Conservative Party conference, referring to the need to construct additional homes, and to ameliorate the planning impediments encountered by businesses.

Despite their hitherto limited nature, the Government's planning reforms, both actual and mooted, have been the subject of significant attention and controversy. Readers will doubtless recall the turbulence caused by the NPPF reforms, with opponents, including the normally quiet National Trust, prophesying the eradication of any and every patch of green space; a Los Angeles for the Home Counties, no less. More recently, the DCLG's proposal temporarily to relax the requirement to seek consent for certain property alterations has generated its own, if rather more modest, controversy; certain individuals and organisations appear to envisage the destruction of every garden in the land, complete with attendant social strife as previously civilised neighbours wage war over conservatory designs.

Such controversy is a useful reminder of the difficulties that any Government can expect if it is deemed to be liberalising planning policy. Quite aside from the fact that state bodies have a tendency to overestimate their own interventionist wisdom, it is worth bearing in mind that they, or more precisely, their political masters, are always under significant pressure to restrain the freedom to develop land. Therefore, even the limited liberalisation that has been implemented to date is to be welcomed, for no one should underestimate the political difficulties that such liberalisation can entail.

However, there are, of course, some very good reasons as to why the Government should not only persist in its planning policy endeavours, but should go much further, and seek fundamentally to curtail the operation of the planning system.

We will now turn to consider, in outline, some of the reasons for doing so.

Planning control is founded on two primary assumptions. Firstly, that the owner of a parcel of land is not entitled to use that land as he or she would necessarily wish. Secondly, that the state is in a better position to determine how a given parcel of land should be used than is the case for the owner of the land in question.

By reference to the normal standards that underpin a liberal, capitalist democracy, those assumptions are clearly eccentric. They are also clearly unwise, given our knowledge and experience of the effects of intrusive state intervention upon personal liberty and economic prosperity. At best, state control of the supply, development and use of land is a misguided anachronism. At worst, it is an economically illiterate obscenity.

The consequences of state control of land use have been rather predictable, especially with regard to the housing market. Firstly, the supply of new housing has failed to keep pace with demand. Secondly, the type of housing that has been built has often failed to match consumers' expectations and requirements. This has led to scarcity, high cost, limited choice and overcrowding, with all the deleterious problems that follow. In short, the housing market is not functioning in the way in which an efficient market should. The principal reason for this is the operation of the planning system, which places greater faith in the state's, rather than the free market's, ability to determine the optimal extent, pattern and nature of land development.

To many involved in the (attempted) development of land, the British planning system has the feel and appearance of a timeless monolith. However, it is worth bearing in mind that it is, in fact, a relatively recent intrusion. The legislation that underpins the system has, of course, changed over time, but the conceptual framework was largely the creation of the Town and Country Planning Act 1947. It is therefore worth giving some consideration to the Act in question.

The main rationale for the 1947 Act can be summarised in three points. Firstly, it was conceived at a time when confidence in state control and direction of economic activity was very strong. Secondly, it was intended to assist the Government of the day in resolving some long-standing housing problems, especially in urban areas. Thirdly, it was a response to some strident criticism of some of the development seen during the inter-war period.

How do those three points fare when considered under today?s conditions?

On the first point, confidence in state control and direction of economic activity is much less pronounced. Of course, there is, regrettably, a rather stubborn residue of confidence, and the current economic climate appears to be strengthening it. However, it can, at least, be said with some certainty that public and official attitudes have changed markedly since the 1940s.

On the second point, the housing problems that afflict modern Britain are largely the result of Government action and intervention. As such, Government inaction would be infinitely preferable, albeit on the condition that the inaction in question is not used as an excuse for not repealing certain items of legislation!

What, therefore, of the third point?

The criticism in question was largely a response to the acreage of suburban housing that developed around major towns and cities between 1919 and 1939; the archetypal semi-detached sprawl. Such development was, and indeed still is, regarded by many as a blight, and an example of the risks posed by a liberal planning regime. Inevitably, such views are most prevalent among those who are enthusiastic supporters of the notion that the state should decide what type of development is ?right?.

However, one man's architectural blight is another's economic triumph; the opponents of the inter-war suburban development have clearly forgotten, or have chosen to ignore, the fact that the development in question brought some remarkable benefits. Around four million new homes were built during those years, of which some 75% were provided on a commercial basis. This was a veritable building boom, one that not only provided millions of people with new homes, but also provided extensive employment opportunities during a period that is rather better remembered for grinding stagnation and chronic unemployment.

The Government should keep such analysis of the 1947 Act in mind when it is contemplating planning policy. We should certainly hope that it does so; after all, even if it chooses not to adopt a stance informed by a principled commitment to personal and commercial freedom, it could still decide to curtail planning control out of a desire to repeat the economic success of the inter-war development.

In addition, the Government could use the experience of the inter-war development as a reference point for consumer opinion on the subject of planning control. Given what was said above regarding public and political controversy, this may seem counter-intuitive. However, in this case, there is arguably a crucial difference between ?public opinion? and ?consumer opinion?. Of the two, it is the latter that is most persuasive, as it reflects economic actions and decisions, rather than stated opinions of the type that are far too easy to manipulate. Fortunately, it appears that consumer opinion is, in fact, supportive of loose planning controls, or at least of the results of loose controls. By way of an illustration of this, we will turn once more to the inter-war housing referred to above.

It should be borne in mind that millions still live in the housing of the inter-war period. Furthermore, those millions are probably perfectly content with the housing in question, especially when it is compared with some of the alternatives. After all, given a free choice between the free-wheeling sprawl of a 1930s housing estate, the Soviet dystopia of a 1960s social housing tower block, and the Lilliputian scale model that passes for many a modern housing development, most people would be happy to choose the first option. This is hardly surprising, for the housing in question is reasonably close to the ?ideal? housing that most consumers want; a reasonably spacious house, three or more bedrooms, a garden that is larger than a dining table, and an adjacent space in which to park a car.

Put another way, the consumer has spoken, and not in favour of the status quo. The Government should take note, for a Government that provides consumers with what they want, rather than what is thought to be good for them, is likely to be rewarded accordingly.

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